

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEBRA S O'NEAL,  
Plaintiff,

v.

STATE FARM FIRE AND CASUALTY  
COMPANY,  
Defendant.

CASE NO. C23-0232-KKE

ORDER GRANTING MOTION TO  
CONTINUE TRIAL DATES AND  
RELATED DEADLINES

This matter comes before the Court on State Farm's motion to continue the trial date and related deadlines due to counsel's serious unforeseen medical issue. Dkt. No. 43. O'Neal opposes the motion. Dkt. No. 49. For the below reasons, the Court grants the motion to continue the trial date and certain related deadlines.

A party can request amending the case schedule upon a showing of "good cause." Fed. R. Civ. P. 16(b)(4). State Farm provided evidence that the senior attorney on the matter has suffered an unforeseen and serious medical emergency rendering him unable to work for at least eight weeks. Dkt. Nos. 45, 45-1. State Farm has shown good cause to amend the case schedule. However, the Court does not adopt fully State Farm's proposed deadlines. The Court ORDERS the following case schedule:

Deadline	Previous Date	Current Date
JURY TRIAL SET FOR 9:30 a.m. on	July 15, 2024	October 28, 2024
Length of trial	5-6 days	5-6 days
Deadline to exchange expert reports	March 15, 2024	March 15, 2024
Deadline for rebuttal expert disclosure	April 14, 2024	May 17, 2024
All discovery and motions related to discovery must be filed by	March 1, 2024	May 31, 2024
All dispositive motions and motions challenging expert witness testimony must be filed by this date ( <i>see</i> LCR 7(d)). Such motions must be noted for consideration no later than the fourth Friday thereafter ( <i>see</i> LCR 7(d))	February 16, 2024	June 28, 2024
All motions in limine must be filed by	June 10, 2024	September 23, 2024
Proposed jury instructions and agreed LCR 16.1 Pretrial Order due, including exhibit list with completed authenticity, admissibility, and objections fields	June 17, 2024	October 9, 2024
Trial briefs, proposed voir dire questions, and deposition designations due	June 17, 2024	October 15, 2024
Pretrial conference scheduled at 10:00 a.m. on	July 1, 2024	October 18, 2024

The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial date assigned to this matter creates an irreconcilable conflict, counsel must notify Diyana Staples, Courtroom Deputy, at [Diyana\\_Staples@wawd.uscourts.gov](mailto:Diyana_Staples@wawd.uscourts.gov) in writing within ten (10) days of the date of this Order and must set forth the exact nature of the conflict. A failure to

do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

### EXHIBITS

Counsel are directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as detailed below. The parties must deliver two copies of their respective trial exhibits to Diyana Staples, Courtroom Deputy, seven days before the trial date. Each exhibit shall be clearly marked. The Court hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff's exhibits shall be numbered consecutively beginning with 1; Defendant's exhibits shall be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice. Once a party has identified an exhibit in the pretrial order, it may be used by any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

In addition, no later than seven days before the trial date, the parties should send an electronic copy of all exhibits in .PDF format with Optical Character Recognition ("OCR") searchable text to Diyana Staples, Courtroom Deputy, at [Diyana\\_Staples@wawd.uscourts.gov](mailto:Diyana_Staples@wawd.uscourts.gov). The parties should notify the Court of any physical objects or files that cannot be transmitted electronically. Exhibits must be marked as described above, and the following protocols also apply: (1) Electronic exhibits must be transmitted individually (i.e., one exhibit per file), but exhibits may have multiple pages; (2) Exhibit file names should match the descriptions listed on the joint exhibit list as closely as possible except that file names should not exceed 80 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. 501– Email dated 4–03–23.

### PRIVACY

Pursuant to LCR 5.2(a), parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the Court or used as exhibits in any hearing or at trial, unless otherwise ordered by the Court:

- Dates of Birth – redact to the year of birth, unless deceased.
- Names of Minor Children – redact to the initials, unless deceased or currently over the age of 18.
- Social Security or Taxpayer Identification Numbers – redact in their entirety.
- Financial Accounting Information – redact to the last four digits.
- Passport Numbers and Driver License Numbers – redact in their entirety.

Parties in social security appeals and immigration cases shall comply with LCR 5.2(c).

#### SETTLEMENT

If this case settles, counsel shall notify Diyana Staples via email at [Diyana\\_Staples@wawd.uscourts.gov](mailto:Diyana_Staples@wawd.uscourts.gov) as soon as possible. Pursuant to LCR 11(b), an attorney who fails to give the courtroom deputy prompt notice of settlement may be subject to sanctions.

#### **CONCLUSION**

For the above reasons, the Court GRANTS State Farm's motion to continue the trial dates (Dkt. No. 43), STRIKES all current deadlines, and ORDERS the case schedule as provided herein.

Dated this 27th day of February, 2024.



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Kymerly K. Evanson  
United States District Judge